

**New Shoreham Town Council Meeting
Town Hall, Old Town Road, Block Island
Monday, August 1, 2011
7:00 p.m.**

Present: First Warden Kimberley H. Gaffett, Second Warden Raymond J. Torrey, Town Councilors Peter B. Baute, Kenneth C. Lacoste and Richard P. Martin. Also present were Town Manager Nancy O. Dodge and Finance Director Amy Land. Town Clerk Fiona Fitzpatrick was present to take the minutes of the meeting.

First Warden Kimberley H. Gaffett called the meeting to order at 7:00 p.m.

Warden's Report

There was no Warden's Report.

Public Input

Chris Warfel was present and asked the Council to reconsider putting his letter and concerns on an agenda. He asked two letters from the First Warden to him be entered into the record.

1. Board of License Commissioners Public Hearing: Act on Transfer of Class BV Liquor License from Block Island Sales Corp (Officers: Kristen Kiley, R Michael Kiley, Melissa Kiley, Allison K Nasin d/b/a Yellow Kittens, Corn Neck Road, Plat 6, Lot 135 to the KAMM Group, LLC, Membership: Block Island Sales Corp, d/b/a Yellow Kittens, Corn Neck Road, Plat 6, Lot 135

Present for the KAMM Group was Michael Kiley. The application states Block Island Sales Corporation owns 100% of the interests of the KAMM Group, LLC. There is no change in ownership of the Block Island Sales Corp, Kristen Kiley, R Michael Kiley, Melissa Kiley and Allison Nasin each own 25%. Michael Kiley said the change was recommended by his attorney and accountant.

First Warden Gaffett moved, seconded by Mr. Martin to approve a transfer of Class BV liquor license from Block Island Sales Corp. Officers: Kristen Kiley, R. Michael Kiley, Melissa Kiley, Allison K. Nasin, d/b/a Yellow Kittens, Corn Neck Road, Plat 6, Lot 135 to the KAMM Group, LLC, Membership: Block Island Sales Corp. d/b/a Yellow Kittens, Corn Neck Road, Plat 6, Lot 135, in accordance with the site plan on file and subject to: payment of the liquor license fee, clearance from Division of Taxation, RI Retail Sales Permit and approval from the Department of Health; and further to grant permission for dancing.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

2. Set date for Financial Town Meeting regarding acquisition of Thomas Property, Plat 8, Lot 218

The First Warden explained the Town was the sole heir under Violette Connolly's Will. She asked that her barns be renovated for rental housing for police officers. Her property was sold to pay for her care during her last illness. Her executor Millie McGinnes has been working with the Town Council to use approximately \$525,000 remaining in the estate to provide rental housing for police officers.

In a closed session meeting July 5, 2011 seven properties on the market were evaluated and the Council chose to pursue purchase of the John Thomas property on High Street, pending approval at Financial Town Meeting, a favorable building inspection report, approval of Superior Court for probate, and any other conditions recommended by the Town's solicitor.

Dr. Baute expressed concerns because a preliminary inspection report returned with a recommendation of investing approximately \$100,000 of work into the building. The value of the property was discussed. A detailed inspection report will be conducted and available for voters at Town Meeting.

First Warden Gaffett moved to set the Special Financial Town Meeting for purchase of the John Thomas property for October 11, 2011 at 7:00 p.m, seconded by Mr. Torrey.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

3. Update on Beach Pavilion proposal (Town Manager)

The Town Manager reported three bids were received for a study proposal funded at \$12,500. The bid will be awarded to Northeast Collaborative. The Town Manger reported the timeframe for study starts soon and ends in October. She proposed a group to work with Northeast Collaborative: herself, Ken Lacoste, John Cullen, Linda Mast, Robbie Closter and Terry Mooney; Ms. Gaffett suggested the addition of Dave Simmons or John Breunig who are familiar with the use of alternative energy on Block Island. Ms. Dodge said the group will also meet with the Harbors Committee because the Committee has a strong interest in the shower and bathroom facility. The Town Manager will distribute the meeting schedule to the Town Council. The Council took no action and none is required because the Town Manager has the authority to enter into contracts and the Town Manager's working group is not appointed by the Council.

4. Receive and act upon Quarterly Municipal Deficits Report

Finance Director Land said the report was the best representation at this time; she will review the June report in detail at an upcoming meeting.

Ms. Gaffett moved to authorize the submittal to the State Department of Administration, seconded by Second Warden Torrey.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin)

Nays: 0

5. Act on Town Manager recommendation re: contract to operate the TNS Transfer Station

The Town Manager reported the three-year contract for operation of the Transfer Station is up for renewal. It was advertised and circulated to contractors who expressed interest through the year; only Block Island Recycling Management responded by the July 7 deadline. The operating plan for the transfer station is set by the RI Department of Environmental Management; the tipping fees are set by the Town Council. Ms. Gaffett said RI Resource Recovery now supports and promotes composting opportunities. Discussion ensued with several people in the audience asked why the contract was awarded when only one bid was received. They asked about the advertising and bidding process and whether the Town could receive more benefit (rent or free tipping for Town facilities) under the contract. Council members noted contractors cannot be forced to bid. Some of the "Block Island factors" involved in the Island-based operation are the need for resident employees and supervisors and ferry transportation of all waste. The Council meets periodically with the transfer station vendors and they will try to set up a meeting for mid-September.

Dr. Baute moved to authorize the Town Manager to proceed with signing a three year contract with BIRM. Motion was seconded by Ms. Gaffett.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin)

Nays: 0

6. Boards, Committees and Commissions:

• Receive letter from Brad Marthens re: resignation from the Planning Board

First Warden Gaffett moved to accept Mr. Marthen's letter of resignation with a letter of thanks for time served. The motion was seconded by Mr. Torrey.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin)

Nays: 0

• Act on appointment to alternate position on the New Shoreham Water Board

• Act on appointment to alternate position on the New Shoreham Sewer Commission

First Warden Gaffett moved that Renwick Tweedy be appointed to serve as an alternate member of the Water Board and Sewer Commission, to serve Mr. Migliaccio's unexpired term, seconded by Mr. Martin.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin)

Nays: 0

• Announce Board, Committee, Commission openings: alternate position on the North Light Commission and Planning Board member

The First Warden announced openings on the North Light Commission, the Planning Board, and announced Probate Judge Michael Lenihan has announced his intention to resign.

7. Receive and act on TNS Police Department monthly reports: May and June 2011

Ms. Gaffett moved to receive the report, seconded by Mr. Martin.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin)

Nays: 0

Correspondence: Receive letters copied to the Town Council: Jean Payne re: loud music; Herman Hassinger re: application to build a sun shade system at Plat 6 Lot 89 (Aldos); Eric Grohsgal re: commendation of Ranger Matt Moran

The Town Council acknowledged receipt of the letters and took no action. Mr. Torrey said he has received constituent complaints about the noise from Champlin's. The Town Manager will direct the Police Chief to be proactive about noise enforcement and document with the decibel meter.

8. Minutes: July 5, 2011 (open and closed)

First Warden Gaffett moved to approve the minutes of July 5, 2011 with changes, and unseal the closed session minutes. The motion was seconded by Dr. Baute.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

10. Discuss dates for community forum on energy.

The EUTG has discussed the format and content of a community forum; they recommend the discussion be held over the course of two days, the Saturday morning and Sunday afternoon of Columbus Day weekend. Discussion ensued; Mr. Lacoste pointed out most business owners will be working that weekend.

Dr. Baute moves that the Community Forum on Energy take place on the morning of October 15 and the afternoon of October 16, the weekend after Columbus Day. Motion seconded by Mr. Torrey.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

At 9:00 a motion to adjourn was made by Dr. Baute and seconded by Mr. Martin.

Ayes: 5 (Gaffett, Torrey, Baute, Lacoste, Martin) Nays: 0

Minutes approved August 17, 2011

Fiona Fitzpatrick,
Town Clerk